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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,342	01/14/2004	Chih Min Lin	010121-9745-00	3481
23409	7590	06/10/2005	EXAMINER	
MICHAEL BEST & FRIEDRICH, LLP 100 E WISCONSIN AVENUE MILWAUKEE, WI 53202			MULLINS, BURTON S	
			ART UNIT	PAPER NUMBER
			2834	

DATE MAILED: 06/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/757,342

Applicant(s)

LIN, CHIH MIN

Examiner

Burton S. Mullins

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-13 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 1,3-9,12 and 13 is/are allowed.
6) ☒ Claim(s) 9 and 10 is/are rejected.
7) ☒ Claim(s) 11 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 9-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Spedale (US 6,710,271). Spedale teaches a motor housing (inherent to motor disclosed on c.3, lines 30-45), a rotor coupled to the motor housing (inherent to motor) and supported for rotation about a motor shaft axis (c.4, line 1) that defines an axial direction; a module housing 12 coupled to the motor housing and movable in the axial direction with respect to the motor housing (bolt holes on either side of housing 12 indicate there will be a connection between the module housing 12 and the motor housing involving axial movement of the two relative each other), and a governor (centrifugal switch) including a module shaft 40 coupled to the rotor for rotation (c.4, lines 63-66), the governor (with swing arms 70/90) disposed substantially within the module housing (Fig.1). Regarding claim 10, a snap switch comprising contacts 22 and 28 (Figs.1-2) is disposed in switch housing (with chamber 14) separate from the module housing (with chamber 16) by means of wall 18, the switch housing coupled to the module housing (Fig.1).

3. Claim 9 is rejected under 35 U.S.C. 102(b) as being anticipated by Shekalim (US 5,291,086). Shekalim teaches a motor housing 2a, a rotor coupled to the motor housing (inherent

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to motor 4) and supported for rotation about a motor shaft axis 4a that defines an axial direction (Fig. 1); a module housing 2b coupled to the motor housing 2a and movable in the axial direction with respect to the motor housing (by means of threaded connection 2c), and a governor (centrifugal switch) 16 including a module shaft 14 coupled to the rotor (shaft) 4a for rotation, the governor disposed substantially within the module housing 2b (Fig. 1).

Allowable Subject Matter

4. Claims 1, 3-8 and 12-13 are allowed. Applicant incorporates indicated allowable matter. Claim 11 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The prior art does not teach or suggest a threaded engagement between the governor module shaft and the motor rotor.

Response to Arguments

5. Applicant's arguments filed May 5, 2005 have been fully considered but they are not wholly persuasive. Regarding new claim 9, the new claim language of "a module housing coupled to the motor housing and movable in the axial direction with respect to the motor housing" is met by Spedale's module housing because the bolt holes shown in the figures infer that the module housing 12 would move axially relative to the motor and motor shaft when the module housing 12 is attached to the motor. Similarly, Shekalim's threaded connection 2c allows for axial movement when the module 2b and motor housing 2a are connected.

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Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Burton S. Mullins whose telephone number is 571-272-2029. The examiner can normally be reached on Monday-Friday, 9 am to 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 571-272-2044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.



Burton S. Mullins
Primary Examiner
Art Unit 2834

bsm
8 June 2005